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Sprint Nextel Corporation*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JODI ALLERTON, Individually and on behalf  
of others similarly situated,

Plaintiffs,

SPRINT NEXTEL CORPORATION and  
JOHN DOES I through XXX, actual names  
and number unknown,

Defendants.

Case No. 2:09-CV-01325

**JOINT MOTION TO STAY PROCEEDINGS**

The Parties hereby request that the Court stay all deadlines in this action until October 28, 2010 so that the Parties can explore mediation.

In support of this Joint Motion, the Parties state as follows:

1. This is a collective action concerning allegations of “off the clock” work performed by employees who were employed in Sprint’s Las Vegas, Nevada call center between

1 June 12, 2006 and June 6, 2009 as hourly, non-salaried employees in the Credit, Business  
2 Wireless Technical Support and Business Customer Service Departments and whose duties  
3 included, in whole or in part, answering and handling incoming calls from Sprint's customers.

4 2. Specifically, Plaintiffs allege that they were not compensated for the time that  
5 they logged into their computer applications each day, in violation of the Fair Labor Standards  
6 Act and Nevada State law.

7  
8 3. By Order dated November 16, 2009, this Court granted Plaintiffs' motion for  
9 Circulation of Notice of the Pendency of This Action. The Order provided that "[p]otential class  
10 members shall have sixty (60) days from circulation of the notice of pendency in which to opt-  
11 into this action."

12 4. On January 6, 2010, Plaintiffs circulated the notice of pendency to the names,  
13 addresses, telephone numbers and email addresses of the putative class members' who are  
14 currently employed or whose employment terminated after April 1, 2007. Pursuant to the  
15 Court's November 16 Order, the opt-in period for those putative class members ended on March  
16 7, 2010.

17  
18 5. On May 17, 2010, Plaintiffs circulated the notice of pendency to the names,  
19 addresses and telephone numbers of the putative class members' whose employment terminated  
20 prior to April 1, 2007. Pursuant to the Court's Order, the opt-in period for those putative class  
21 members will end on July 16, 2010.

22  
23 6. The Parties are still in discovery, which has included the production of nearly  
24 25,000 pages of documents in response to Plaintiffs' document requests. In addition, on May 19,  
25 2010, Defendant deposed named-Plaintiff Jodi Allerton and on May 20, 2010, Defendant  
26 deposed opt-in Plaintiff John Henderson.

1           7.       Before they incur additional costs by continuing discovery, the Parties have  
2 decided that now is a good time to explore mediation because (except for the outstanding  
3 requests described in paragraph 8 below) the Parties have sufficient discovery to evaluate the  
4 claims for purposes of mediation.

5           8.       After the close of the second opt-in period on July 16, 2010, Defendant has agreed  
6 to produce additional data regarding the scope of potential class-wide damages -- specifically,  
7 the wage rates for putative class members as well as the length of time that the class members  
8 were employed during the relevant time period.

9           9.       Although Defendant has begun pulling the relevant data for the original opt-ins,  
10 Defendant anticipates that it will not be able to produce the information for the new opt-ins  
11 within thirty (30) days. Both parties will then require sufficient time to review and analyze the  
12 data and prepare for the mediation.

13           10.      The Parties have agreed to have Mark Rudy, Esq. act as Mediator. Mr. Rudy is  
14 with Rudy Exelrod Zeiff & Lowe LLP in San Francisco, California.

15           11.      Mr. Rudy has mediated approximately 3,000 matters, having served as a Mediator  
16 since 1988. In particular, Mr. Rudy has successfully resolved a large number of wage and hour  
17 class actions. His knowledge and experience in class cases and call center cases in particular  
18 make him the best person to get the parties to a resolution of this matter.

19           12.      Mr. Rudy's schedule prevents us from holding the mediation until October 13 and  
20 14, 2010, and the Parties have scheduled it for those dates.

21           13.      Therefore, the Parties are requesting that all deadlines in this action be stayed for  
22 two weeks after the mediation, until October 28, 2010.

1 WHEREFORE, the Parties respectfully request that the Court stay all deadlines in this  
2 action until October 28, 2010 and that each of the deadlines in this case be extended for the time  
3 period of the stay.

4  
5 Dated: July \_\_\_, 2010.

6  
7 Respectfully submitted by:

8 LEON GREENBERG  
PROFESSIONAL CORP.

9 /s/ Leon Greenberg  
10 Leon Greenberg  
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20  
21 IT IS SO ORDERED:

22   
23 CHIEF UNITED STATES DISTRICT JUDGE

24  
25 DATED: July 6, 2010